

## DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

## OFFENSE CHARGED

18 U.S.C. 1028(a)(6) and (f) Conspiracy to Possess an Identification Document of the United States that was Produced Without Lawful Authority

Petty  
 Minor  
 Misdemeanor  
 Felony

PENALTY: maximum one year imprisonment, \$100,000 fine, one year of supervised release, \$25 mandatory special assessment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

4/16/13  
 2:54 PM  
 U.S. DISTRICT COURT  
 SAN FRANCISCO, CALIFORNIA

## DEFENDANT - U.S.

Giuseppe Penzato

DISTRICT COURT NUMBER  
 CR 12-0089 EMC

## PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

HSI S.A. Melissa Saurwein

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprocution of charges previously dismissed  
 which were dismissed on motion of:

U.S. ATTORNEY  DEFENSE

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on this form Melinda Haag

U.S. Attorney  Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) Owen Martikan, AUSA

## DEFENDANT

## IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

1)  If not detained give date any prior summons was served on above charges

2)  Is a Fugitive

3)  Is on Bail or Release from (show District)

this District

## IS IN CUSTODY

4)  On this charge

5)  On another conviction

}  Federal  State

6)  Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer  Yes  
 been filed?  No

} If "Yes"  
 give date  
 filed

DATE OF  
 ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED  
 TO U.S. CUSTODY

Month/Day/Year

This report amends AO 257 previously submitted

## PROCESS:

SUMMONS  NO PROCESS\*  WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

Arraignment  Initial Appearance

Defendant Address:

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments:

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Name of District Court, and/or Judge/Magistrate Location

*File No. 2-56*  
 NORTHERN DISTRICT OF CALIFORNIA

*SAN FRANCISCO DIVISION*

## DEFENDANT - U.S.

*U.S. DISTRICT COURT*  
 Kesia Penzato

DISTRICT COURT NUMBER  
 CR 12-0089 EMC

## DEFENDANT

## IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.  
 1)  If not detained give date any prior summons was served on above charges

2)  Is a Fugitive

3)  Is on Bail or Release from (show District)  
 this District

## IS IN CUSTODY

4)  On this charge

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Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED  
 TO U.S. CUSTODY

Month/Day/Year

Name and Office of Person  
 Furnishing Information on this form Melinda Haag

U.S. Attorney  Other U.S. Agency

Name of Assistant U.S.  
 Attorney (if assigned) Owen Martikan, AUSA

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Defendant Address:

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments:

FILED  
2013 APR 16 P 2:54  
RICHARD W. WIEKING  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, ) No. CR 12-0089 EMC  
Plaintiff, ) VIOLATION: 18 U.S.C. §§ 1028(a)(6) and  
v. ) (f) – Conspiracy to Possess an Identification  
GIUSEPPE PENZATO, and ) Document of the United States That Was  
KESIA PENZATO, ) Produced Without Lawful Authority  
Defendants. ) SAN FRANCISCO VENUE

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SUPERSEDING INFORMATION

The United States Attorney charges:

1. Beginning at a time unknown to the United States, but no later than on or about August 25, 2009, and continuing until November 19, 2009, in the Northern District of California and elsewhere, the defendants,

GIUSEPPE PENZATO, and  
KESIA PENZATO,

did knowingly conspire and agree to possess an identification document, to wit, a Form I-94 Department of Justice Arrival and Departure Record belonging to C.D.S., while knowing that

SUPERSEDING INFORMATION  
CR 0089 EMC

1 such identification document had been produced without lawful authority, in violation of Title  
2 18, United States Code, Sections 1028(a)(6) and (f).

3  
4 DATED: 4/16/13  
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MELINDA HAAG  
United States Attorney

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9 MIRANDA KANE  
Chief, Criminal Division  
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*J. Douglas Wilson for*

(Approved as to form.)

  
AUSA MARTIKAN